



CHARTERED 1693

THE COLLEGE OF WILLIAM AND MARY

OFFICE OF THE RECTOR
P.O. BOX 8795
WILLIAMSBURG, VIRGINIA 23187-8795

June 11, 2013

Dr. Charles W. Steger
President
Virginia Polytechnic Institute & State University
210 Burruss Hall (0131)
Blacksburg, Virginia 24061

Dear President Steger,

I am following up your request at the April 22, 2013, meeting of the Council of Presidents, Rectors and Vice Rectors, that we determine how to proceed regarding the need for Virginia's public colleges and universities to have the flexibility to provide health insurance and other benefits for partners of gay and lesbian faculty and staff. We agreed that almost all of our competitors, public and private, now offer these benefits. And, as we discussed, reviewing specific examples from our institutions of the need for these benefits is necessary.

First, recall that a letter was sent to the Governor in 2009 (copy enclosed) by the Presidents of the University of Virginia, the College of William and Mary and George Mason University stating the competitive disadvantage we face, with almost all of our public and private competitors offering these benefits. That disadvantage has increased in the intervening years with many more institutions now offering benefit parity, e.g., Washington & Lee University, University of Richmond, Wake Forest University, Furman University, Penn State University, University of Florida, University of Maryland, University of Delaware and numerous others.

Second, an initial review of examples (document enclosed) reveals how the failure to offer these partner benefits has unfairly and negatively affected our universities and our gay and lesbian faculty and staff. These just scratch the surface; there is no doubt that more real-life examples will emerge in the coming months.

Specifically in response to your question about how the universities should handle this, I would urge the Presidents to again unite in our universities' interest and update the 2009 letter or sign on a re-statement of the need (draft enclosed) as originally expressed by the university presidents in that 2009 letter asking for the flexibility to offer partner benefits. This "statement of need" would simply make it clear that today's needs are even greater than they were in 2009.

Your leadership and that of your fellow Presidents, in addressing this issue is an essential and necessary first step in future efforts to recruit and retain the best talent for our distinguished institutions. Perpetuating this form of discrimination against our countless gay and lesbian employees is neither equitable nor competitively advantageous for the Commonwealth.

A clear fact-based statement from our presidents will be a vital first step forward in meeting our responsibility.

Sincerely,



Jeffrey B. Trammell
Rector
College of William and Mary

Cc:

Dr. Teresa A. Sullivan, President
University of Virginia

Mr. W. Taylor Reveley, III, President
College of William and Mary

Dr. Angel Cabrera, President
George Mason University

Dr. Michael Rao, President
Virginia Commonwealth University

Other members of Council of Presidents
Rectors



UNIVERSITY of VIRGINIA

OFFICE OF THE PRESIDENT

October 6, 2009

The Honorable Timothy M. Kaine
Governor of Virginia
Patrick Henry Building, 3rd Floor
1111 East Broad Street
Richmond, VA 23219

Dear Governor Kaine:

Following up on our earlier discussions, we have consulted colleagues about the need for Virginia's public colleges and universities to have more flexibility in administering health insurance benefits. We write to support your efforts to authorize Virginia public colleges and universities to offer domestic partner health insurance.

Many, perhaps most, of Virginia's major corporations have offered similar coverage for several years. Their motive has been to bring top employees to Virginia, and then to retain them. Executives from those employers have made clear that we benefit as a state by the increased capacity to hire and retain top employees that coverage of this kind provides. Our own experience and analysis suggest that most of the major national private and public universities with whom we compete when we hire or work to retain top faculty already offer domestic partner health insurance. The ability to offer this benefit is increasingly important now as we attempt to recruit and retain the best faculty and staff in the most challenging economic climate that we have seen.

For your efforts and support, we are grateful. We believe that action now to remedy the disadvantage that we incur under the current regulations will generate lasting benefit to our Commonwealth.

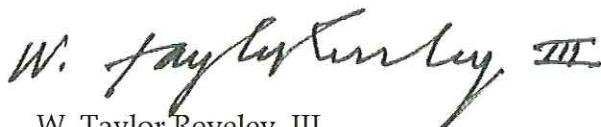
Sincerely,



John T. Casteen III
President, University of Virginia



Alan G. Merten
President, George Mason University



W. Taylor Reveley, III
President, College of William and Mary

Examples of the Negative Impact on Faculty & Staff In Virginia's Public Universities

- A tenured professor in the UVA College of Arts & Sciences had a same-sex partner whose previous experience with cancer, now in remission, prevented her from obtaining independent health insurance. Because her partner could not find health insurance, the professor decided to seek another position. The faculty member now teaches at a well-known university in New York, which provides health insurance for her partner.
- A physician at the UVA Medical School could not obtain UVA health insurance coverage for her same-sex partner or for two of their children. The physician was the biological mother of one of the couple's children, and her partner was the biological mother of their other two children; all had been planned, conceived, born, and reared by the women as a couple. As Virginia law does not recognize the physician's relationship to her partner and to two of the children, she was unable to obtain health insurance for them. This faculty member departed for another job at an Ivy League institution in the Northeast, where the couple was legally married and where they were able to obtain health insurance as a family through the physician's new position.
- A tenured professor in UVA's College of Arts & Sciences has not been able to obtain health insurance for her partner or for their children. Even though the couple has been together more than 25 years, their relationship is not recognized by the University, and the partner is not eligible for health insurance through the professor's job at UVA. Since the professor is not the biological mother of the couple's children, and because Virginia law does not allow her to adopt them, the children are not recognized as hers, and they are not eligible for health insurance via the professor's job at UVA. This is the case despite the professor having become a legal guardian of the children, who live in the joint legal custody of this same-sex couple. The professor continues her work at the University but feels greatly mistreated.

- In the spring of 2010, a tenured professor in the Department of Pharmacology & Toxicology left VCU. One of the primary reasons that she left was that VCU did not offer health benefits to her domestic partner of almost 20 years—a VCU alumna who did not have access to health insurance through other sources. The professor left to take a position at RTI International, a private non-profit research institute in North Carolina that offers full domestic partnership benefits to same-sex couples. When the VCU professor left, she took with her a substantial amount of grant-funding of over \$1 million and the potential for more, as she has since received two additional grants—one for \$1.5 million over a 5-year period and a second for \$100,000 over 2 years.
- A tenured W&M faculty member in Arts & Sciences currently faces the prospect of having to leave the College as her legally married spouse—although not recognized in the Commonwealth—is relocating to be with her but will not be able to secure health insurance through her partner, the faculty member. The W&M faculty member will either have to secure a position at a university offering partner benefits or reside in Washington where her spouse can find a teaching position with health insurance. This would force the W&M professor to commute to teach in Williamsburg, losing the residential on-campus mentoring which she has prized in her years of teaching at William & Mary.
- A sought after professor came to William and Mary in 2008 from the Pacific Northwest. His domestic partner who had worked in Oregon state government for 15 years had a difficult time finding employment in Virginia. He eventually found a part-time job with a local non-profit, but he had no health insurance. The professor and his partner say they lived day to day, hoping that a medical emergency would not cause a financial collapse for them. They debated whether they should stay in Virginia in light of this discrimination. They are now both employed with benefits, but they worry about what if one of them should lose his job and whether they should relocate to a place where they would not face this situation.

STATEMENT OF NEED

"We support efforts to authorize Virginia public colleges and universities to offer domestic partner health insurance.

Many, perhaps most, of Virginia's major corporations have offered similar coverage for several years. Their motive has been to bring top employees to Virginia, and then to retain them. Executives from those employers have made clear that we benefit as a state by the increased capacity to hire and retain top employees that coverage of this kind provides. Our own experience and analysis suggest that most of the major national private and public universities with whom we compete when we hire or work to retain top faculty already offer domestic partner health insurance. The ability to offer this benefit is increasingly important now as we attempt to recruit and retain the best faculty and staff in the most challenging economic climate that we have seen,

We believe that taking this step will generate lasting benefit to our Commonwealth."